

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PLAYUP, INC.,
Plaintiff(s),

v.

DR. LAILA MINTAS,
Defendant(s).

Case No. 2:21-cv-02129-GMN-NJK

Order

[Docket Nos. 445, 446]

Discovery is set to close on January 31, 2024. Docket No. 385 at 2. On December 1, 2023, the PlayUp parties indicated that they would conduct 11 additional depositions. *See* Docket No. 445-1 at ¶¶ 7, 10. On December 8, 2023, Mintas indicated that she would conduct 11 additional depositions. *See id.* at ¶ 12. The parties have been unable to figure out how to conduct all of these depositions in the time remaining in the discovery period, and the PlayUp parties have now filed an emergency motion for protective order. Docket No. 445; *see also* Docket No. 446 (motion to shorten time).¹ A deposition scheduling conflict is not the type of dispute that should require emergency motion practice. Docket No. 198 at 19; *see also Olesczuk v. Citizens One Home Loans*, 2016 U.S. Dist. Lexis 153342, at *5-6 (D. Nev. Nov. 4, 2016). The Court hereby **ORDERS** the parties to confer on a schedule for the remaining depositions by 5:00 p.m. tomorrow, January 3,

¹ The motion for protective order raises other arguments too, including whether conducting certain depositions would violate the stay order regarding PlayUp Ltd. and whether service was properly effectuated for certain depositions. The Court denies those aspects of the motion for protective order without prejudice. If relief continues to be sought as to those issues, a renewed motion must be filed in prompt fashion. That renewed motion must include meaningful discussion as to how the movants have standing to raise such arguments, *see, e.g., Paws Up Ranch, LLC v. Green*, 2013 WL 6184940, at *2 (D. Nev. Nov. 22, 2013), and whether this Court has jurisdiction to entertain such arguments, *see, e.g., Fed. R. Civ. P. 45(d)(3)(A)* (indicating that motions to quash subpoenas are resolved by “the court for the district where compliance is required”). The Court also denies without prejudice the request for fees under Rule 37(a)(5)(A). If the movants continue to seek that relief, they must file a separate motion.

1 2024. If necessary, the parties may file a request to modify the discovery cutoff such that the
2 depositions may be taken in an orderly fashion. *Cf.* Docket No. 191. Any such request to modify
3 the discovery cutoff on this basis must be filed by January 4, 2024.

4 In light of the above, the motion for protective order and motion to shorten time are
5 **DENIED** without prejudice.

6 IT IS SO ORDERED.

7 Dated: January 2, 2024

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10 Nancy J. Koppe
11 United States Magistrate Judge
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